

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

KRISTENE V. MICLON,
Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner,
Social Security Administration,
Defendant.

Civ. No. 05-73-P-S

ORDER

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. 405(g), and in light of the government's request to remand this action for further development of the record by an administrative law judge (AALJ@),

IT IS HEREBY ORDERED that, upon remand, the ALJ will update the plaintiff's medical records and conduct another administrative hearing, at which medical expert testimony will be obtained to assist the ALJ in considering the possibility of a disability onset date earlier than July 1, 2001. See Social Security Ruling ("SSR") 83-20. The ALJ will then issue a new decision based on the total record, which will consider the plaintiff's subjective symptomatic complaints generally, and specifically with respect to the time period prior to July 1, 2001, in accordance with 20 C.F.R. § 404.1529 and SSR 96-7p.

Therefore, this court hereby reverses the Commissioner=s decision under sentence four of 42 U.S.C. 405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991). The clerk of the court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

/s/ George Z. Singal

George Z. Singal

Chief U.S. District Judge

Dated October 25, 2005.